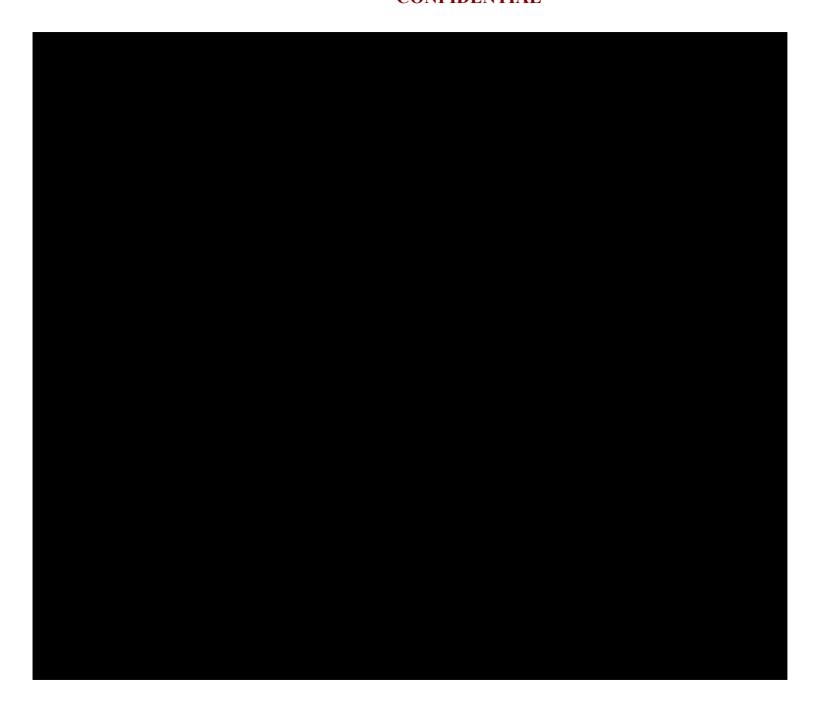
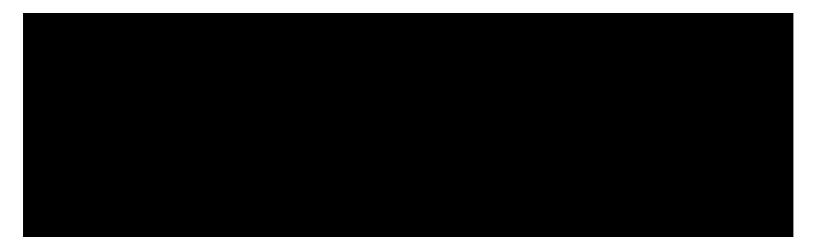
# **EXHIBIT A**







Case 1:21-cv-00502-LGS Document 124-8 Filed 42/29/22 Page 5 of 33 (Iniam, Ruz@nyulangone.org)

From: Ruiz, Miriam < Miriam. Ruiz@nyulangone.org>

Sent: Wednesday, November 13, 2019 11:33 AM

To: Antonik, Joseph < Joseph Antonik@nyulangane.org>; Lucca, Nicole < Nicole.Lucca@nyulangane.org>

Cc: Magen, Gloria < Gloria. Magen@nyulangone.org>

Subject: Conversation with Dr. Edelman

Hi Joe and Nicole

Miriam Ruiz

I just had a conversation with Dr. Edelman about her schedule here at Marcus Avenue.

- 1. I asked her what time would she would like to start here at Marcus she replied just move the patients over.
- 2. I can't get here early but I will honor the patients appointments.
- 3. I asked her if she had a preference of what time she would like to start?
- 4. She replied I am not giving you set hours I don't want patients to be put in by call center, this is just for Huntington patients.
- 5. I asked again, if a patient is unable to get here for 8:30 what do you want me to do.
- 6. She replied in a very loud, demeaning tone: YOU are NOT understanding me. I want the patients to just be moved over.
- 7. In January, I will TELL you what my hours will be.
- 8. I simply said ok, and she stormed out.

I find this to be very unprofessional, inappropriate and demeaning, I am here to fully support Dr. Edelman but not under the	<b>se circumst</b> ance:
Lappreciate your time.	
Thank you	

Case 1:21-cv-00502-LGS | Document 184-8 | Filed 00/29/22 | Page 7 of 33

### 

CONFIDENTIAL Received: 2 months ago

Sari Dawn Edelman, DO 📂 Miriam Ruiz

I am aware, and appreciate the reminder and of course threat of my loss of priveleges!

**Previous Messages** 

⋄

----- Message -----From: Miriam Ruiz

Sent: 8/27/2020 2:11 PM EDT To: Sari Dawn Edelman, DO

Hi Dr. Edelman,

Please note that your annual compliance training must be completed by 8/31/20. Failure to complete these modules may result in a suspension of privileges. Please complete them by due date These can be accessed by logging into FOCUS through the NYU portal.

SDF205 Assigned ORG-01 - Annual Regulatory Training - 2020 (Clinical) Not Evaluated Edelman Sari 1055125 SDF205 Assigned ORG-02 - Emergency Management and Workplace Safety - 2020 Not Evaluated Edelman Sari 1055125

SDF205 Assigned ORG-03 - Annual Compliance Training - 2020 Not Evaluated Edelman Sari 1055125

Any questions, let me know

Joseph Antonik, MBA
Site Director, Ambulatory Operations
NYU Langone Faculty Group Practice
1999 Marcus Avenue, New Hyde Park, NY 11042
Ph: 516.467.8719|Cell: 516.238.8042

30-0ct-20

#### REDACTED AREDACTED

to Sari Dawn Edelman, DO • Me • 1999 Marcus Ave Rheumatology Liaison

RA

9:11 AM

Note

### Error! Hyperlink reference not valid.

Good Morning Dr. Edelman,

There was an appeal form that I emailed to you back on 10/12 that needs your signature. Please advise if you received it.

Thank you,

REDACTE

Sari Dawn Edelman, DO

to Redacted Aredacted

9:36 AM

Note

### Error! Hyperlink reference not valid.

Did you send it in Epic? I do not have it on my desk, and it is not scanned in so likely I did not receive it.

I do not use NYU email for any patient related work. I will not open it, as it is not part of medical chart and therefore it violates OPC regulation as keeping information separate from legal chart. In past I had patient report complaint to OPC regarding billing, and it was found documentation done in NYU emails, and therefore not included in patient record. OPC considered this serious violation as patient has rights to their chart including billing and all ancillary services. By placing information in separate system not linked to patient chart it is essentially considered "hiding" information. Thank goodness I was not found culpable as I was not on any of the emails, and therefore it did not impact my medical licence. I did have to incur cost of private counsel though to prove this. However, the office team management who had used NYU email to correspond patient information this way was found responsible and there were communications with OPC and our office team at time. Since then only use NYU email for professional correspondence. Absolutely no patient communications.

The management involved in this matter is no longer with NYU.

If you send me information this way I would not have received it as I will not even open it. During pandemic we had use email NYU as unable scan into Epic faxes so forced to communicate this way and I informed patients that email not secure, and not part of chart during pandemic so there would be transparency. Now that office been open sometime have not used this method of patient receiving faxes/forms several months.

Please print form or fax to office so Miriam can print and place on my desk.

Dr. Edelman

Received: 2 months ago

Sari Dawn Edelman, DO 🕶 Miriam Ruiz

FYI, I have been giving you patient MR now for months to rectify this. I feel like someone trying deliberately set me up for major patient care error. I am ready call HR as well to protect myself if someone trying to harass me. Serious concern and seems not addressing actual issue.

You can monitor my inbox all you want. Not going see anything because messages not there!

I am literally going crazy here that I am not getting TIffany's stuff, and instead of removing her from sending me things you are assigning her more tasks to send me. It makes no sense and dangerous. Now won't even see my scans. At least was getting this from Fran.

Previous Messages

---- Message -----From: Miriam Ruiz

Sent: 9/1/2020 1:21 PM EDT To: Joseph Antonik, Andrew Rubin, \*

Subject: RE: Patient Care Compromise Needs Immediate \*

Good Morning Dr. Edelman,

Thank you for bringing up your concerns about the workflow that is currently in place. I have had conversations with Tiffany, about her routing her messages to you. She is currently routing all Patient calls and Staff Messages, via a telephone encounter. All Patient Advise requests are being sent directly to you. All medical questions that are being sent are being created as a telephone encounter and sent to you and Trish. All refill medications that are coming in are being pended and sent over to you.

I watched Tiffany create these messages and send them over to you, to ensure that she was sending the messages the proper way. We confirmed this by going back to the patients chart and seeing that the telephone encounter is in the chart and see that this was in your in basket, which I am attached to.

Tiffany has been provided a scanner at her workstation, she will be scanning all of your results into your patients charts. Anything that is not signed off will be scanned and routed to you.

Tiffany will come to your office in the mornings to retrieve any outgoing items from the top part of your outbox, located on the shelf.

For the remainder of the week, Trish and myself will be handling all messages so please route them to the both of us. We will monitor your baskets and keep a close eye on all messages.

For any Patient Advice requests that you are sending back to the patient, please loop in Trish and I, if any follow up requests are needed.

## **□** Patient Care Compromise Needs Immediate Attention

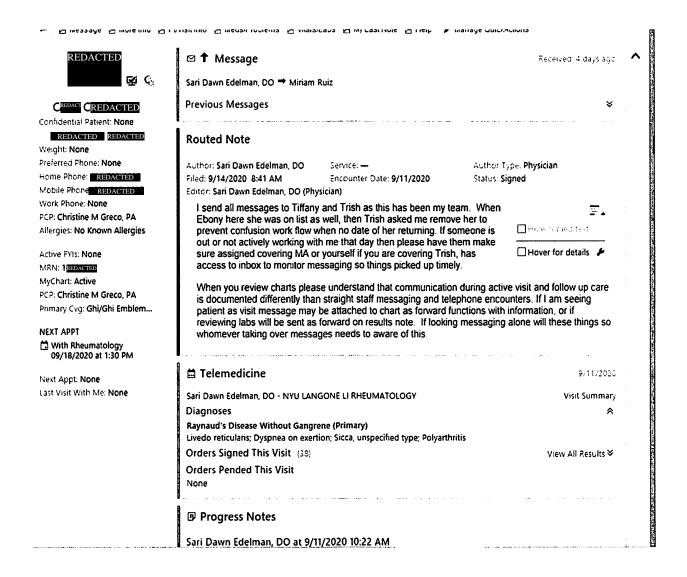
Received: 2

Sari Dawn Edelman, DO Miriam Ruiz; Joseph Antonik; Andrew Rubin
Please be aware that I have been communicating with Miriam Ruiz on major patient care communicating Epic. It seems my direct medical assistant Tiffany Davis messages in Epic do not appear in my raths has been occurring for months. I have provided multiple reports to my direct manager during event. At this point in time, there has not been any adverse patient outcome, but is is matter of timessaging going without review by physician is unsafe practice management. It also adversely aff satisfaction.

I have been awaiting a response on reason for this from Miriam and she did report she has been it. At this point in time I do not feel comfortable with the situation. I feel it would be best for Tiffa not be responsible for sending me messages in Epic.

Of note, I do receive messaging from the phone room on a consistent basis and from all other tea in the office. I am not sure why the messages Tiffany forwards to me do not appear in my box, but point in time it is not safe practice and I am requesting until situation is resolved that she is not probe a point of contact for messaging patient care issues to me in Epic. Please inform the call center room as to whom you feel can be assigned to address my calls until the matter the rectified.

I appreciate you prompt attention to this matter. I sincerely hope this is not system wide IT issue	!.
Sari Edelman, D.O.	



### Document 104-8 Filed 00/29/22 Page 13 of 33 CONFIDENTIAL Case 1:21-cv-00502-LGS

This Order Has Been Discontinued

Order Status

Reason

Ву

On

Discontinued

None

Sari Dawn Edelman, DO

9/15/20 1424

**Additional Dispense Information** 

**Outpatient Medication Detail** 

DAW

DULoxetine (CYMBALTA) 60 mg capsule (Discontinued)

No

**Outpatient Medication Detail** 

Disp

Refills

2

Start

End

DAW

DULoxetine (CYMBALTA) 60 mg capsule (Discontinued)

30 capsule

8/28/2020

9/15/2020

No

Sig - Route: Take 1 capsule by mouth daily. - Oral

Sent to pharmacy as: DULoxetine 60 mg capsule, delayed release (CYMBALTA)

Class: Normal

Date/Time Signed: 8/28/2020 15:56

E-Prescribing Status: Receipt confirmed by pharmacy (8/28/2020 3:56 PM EDT)

E-Cancel Status: Request approved by pharmacy (9/15/2020 2:24 PM EDT)

E-Cancel Status Note: RX last filled 08-30-2020, future fills canceled.

**Order History** Outpatient

Date/Time **Action Taken** 08/28/20 1052 Pend

Sign

Patricia Fesolowich, RN

Sari Dawn Edelman, DO

09/15/20 1332 09/15/20 1424

08/28/20 1556

Taking Flag Checked Discontinue

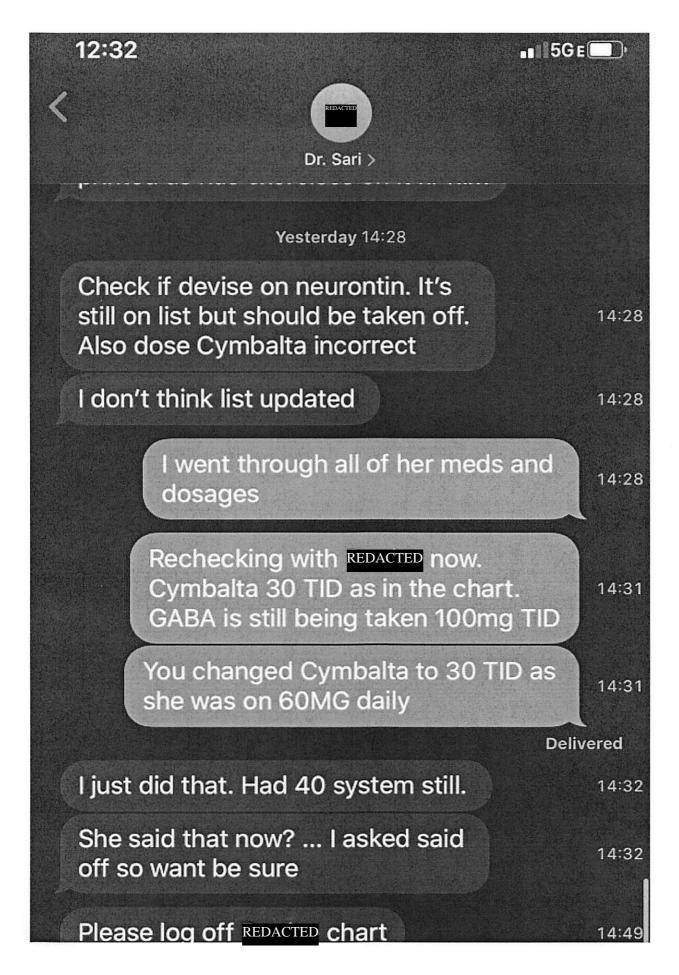
Tiffany Benjamin

User

Sari Dawn Edelman, DO

Reorder from Order, 421519003

Additional Information







## Sari Dawn Edelman, DO

Note

9/14/20 8:50 AM



I spoke with Final length Friday. She has done investigation herself and will pass info to me today in detailed letter. I will then try get approval.

## dditional Documentation

Encounter Info: Billing Info, History, Allergies, Detailed Report

ncounter Messages

Expand All Collapse All

Phone number.	••	Result.	TXT SENT	
Comm. type:	External Vendor	Call type	Outgoing	
Contact:	CREDACTED BREDACTED HREDACTED	Reason	Appointment Confirmation	
User	CADENCE, BATCH PROCESSING	Date/time:	9/11/20 1:25 PM	
Comment:				
Context	Appointment Automatic Notices	Outcome:		
Phone number:		Result <sup>*</sup>	TXT SENT	
Comm_type:	External Vendor	Call type	Outgoing	
Contact <sup>-</sup>	CREDACTED BREDACTED HREDACTED	Reason	Appointment Confirmation	
User .	CADENCE, BATCH PROCESSING	Date/time:	9/11/20 1:25 PM	
Comment:				
Context:	Appointment Automatic Notices	Outcome:		
Phone number:	•	Result	TXT SENT	
Comm. type:	External Vendor	Call type:	Outgoing	
Contact:	CREDACTED BREDACTED HREDACTED	Reason	Appointment Confirmation	

<b>Event Tra</b>	cking	Log
------------------	-------	-----

Event Name	User	Date & Time	Comments	
Appointment Scheduled	JREDACTED, CREDACTED	8/28/20 4:01 PM		1
Department check-in started	REDACTED, MREDACTE	9/16/20 1:07 PM		1
Department check-in complete	REDACTED MREDACTE	9/16/20 1:08 PM		:
ES COLOR YELLOW	REDACTED. MREDACTE	9/16/20 1:08 PM		:

Vi	sit Due				;
Cd	opay due: 0.00	0	Copay paid:	0.00	:
Pr	epay due: 0.00	0	Prepay paid	0.00	
Cd	omment:				1
L					

### Document 164-8 Filed 00/29/22 Page 19 of 33 CONFIDENTIAL Case 1:21-cv-00502-LGS



Confidential Patient: None

Female, REDACTED, REDACTED

Weight: REDACTED

Preferred Phone: REDACTED

Home Phone: REDACTED

Mobile Phone: REDACTED

Work Phone: REDACTE

PCP: Lisa Joan Lehnert, DO Allergies: No Known Allergies

Active FYIs: None

MRN: REDACTED

MyChart: Active

PCP: Lisa Joan Lehnert, DO

Coverage: REDACTED

Next Appt: None

Last Visit With Me: None

Message

Received: Yesterday

Sari Dawn Edelman, DO PMiriam Ruiz Caller: Unspecified (2 days ago, 3:13 PM)

Previous Messages

×

Patient Calls

Sari Dawn Edelman, DO -> You

17 hours ago (3:50 PM)



Any reply IT? Been over week?

Stress again this is compliance issue as impacts patient care. Needs to be rectified as patient safety is being compromised and we are all aware of it. I have legal responsibility to report it as do you and Joe if not rectified as can lead to patient adverse event. While we are trying mitigate this by temporary fix, it remains to be rectified.

Documentation

Sari Dawn Edelman, DO - You; Tiffany Benjamin

17 hours ago (3:35 PM)

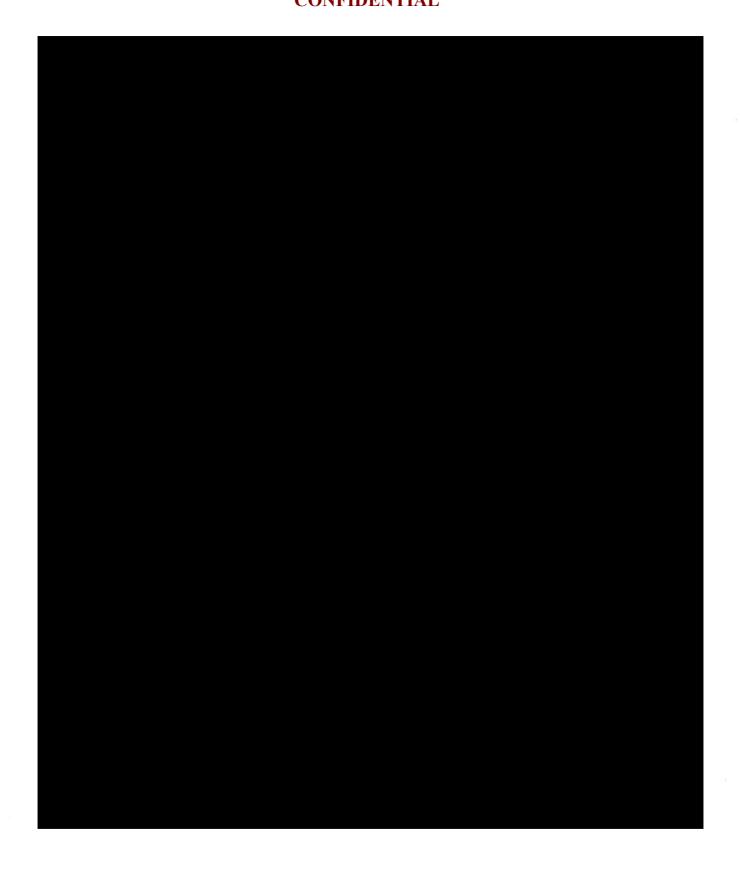


Tiffany, I would like you not send to me at all, just route to Trish or Miriam and they will continue send to me. Issue is liability. If you route to me and somehow not rerouted back by Trish or Miriam, and I don't get it, it appears, as if I received it when did not. It is best for now for you not to route me messages unless not patient related in staff message or it is lab result note. I believe I do get messages when comes in as lab result note from you. Telephone messages and any forwarded messages do not get received.

Documentation

You -> Tiffany Benjamin; Sari Dawn Edelman, DO

22 hours ago (10:56 AM)







Purnima Popli, MD

Hi

This patient is scheduled for an injection visit today, she is not a buy and bill this would have to come from the pharmacy or patient would have to pay out of pocket



Sari Dawn Edelman, DO

Please read messages. Keep her appointment

Tup 2 50 AM

appointment is not cancelled; just informing that injection is not an option; patient would have to pay out of pocket or wait for pharmacy you can see the patient today

Tue 9:00 AM

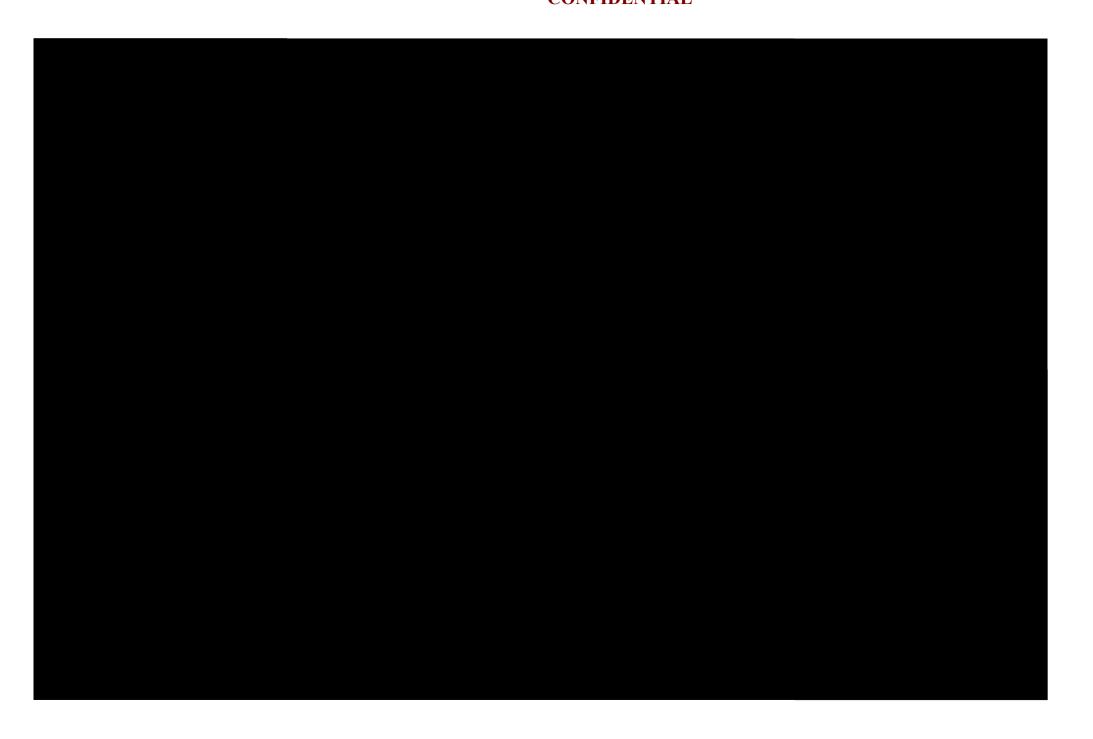


Sari Dawn Edelman, DO

Read messages. This conversation is irrelevant

Tue 9 03 AV





Tiffany please check and let me know. The tubes definitely taken per patient. Not sure who MA was that day.

29-Oct-20

Me to Sari Dawn Edelman, DO • Patricia Fesolowich, RN MR

12:08 PM

Did you give the patient a requisition to go out for blood work?

Thank you Sari Dawn Edelman, DO to Me

6:11 PM Note



Thank you

30-Oct-20

Me

to Sari Dawn Edelman,

DO • Patricia

Fesolowich, RN

MR

9:15 AM

Hi Dr.

Edelman,

I spoke with Tiffany, she does recall drawing the bloods and holding them over in the fridge. She did forget to remind you to enter the orders for the patient. I spoke to EREDACTED and she is aware of the mishap on our end, I offered her to come in today for a draw but she has transportation issues. She is willing to go to a Quest Lab tomorrow and have this done, would you please enter the orders so I can fax it over to Quest. Thank you

2-Nov-20

Me

to Sari Dawn

Edelman, DO

MR

3:09 PM

Dr. Edelman

EXEDACTED is going on Tuesday to Quest, they do not take walk ins and she scheduled the appointment.

Thank you

5-Nov-20

Sari Dawn

Edelman, DO

to MREDACTED TED

REDACTED

11:02 AM

Hi

Labs are resulted in MyChart. Everything looks okay. Sjogren's antibody called the SSA remains elevated and similar titers to previous. You are more anemic- low red cells, which is likely due to the pregnancy. Please just review this with your gynecologist to ensure that you are getting enough iron. The other mild findings of low protein also feels related to the pregnancy. The calcium level appears to be low, however when recalculated due to the low protein it is within normal ranges. The autoimmune clotting antibodies are negative.

Dr. Edelman

Last read by EREDACTED MREDACTED at 11:29 AM on 11/5/2020. Sari Dawn Edelman, DO to Patricia Fesolowich, RN

11:03 AM

Note

Please send over the results of recent labs from 11 3 to her gynecologist. It is the maternal-fetal medicine office. Email is m

REDACTED

VREDACTED, EREDACTED to Edelman, Sari Dawn, DO 11:09 AM Thank you, can you please make sure my gyno gets the results? You can email to her at M. REDACTEDREDACTED Thank you, see you in a few weeks. Sari Dawn Edelman, DO to MREDACTED, EREDACTED 1:12 PM Of course, I already requested be sent over this morning to her. Last read by EREDACTED MREDACTED at 1:18 PM on 11/5/2020. Patricia Fesolowich, RN to MREDACTED, EREDACTED PF 2:28 PM REDACTED Please tell me your GYN name and if you have it the fax # as we can't send results through email Trish Last read by EREDACTED MREDACTED at 2:28 PM on 11/5/2020. VREDACTED, EREDACTED to Fesolowich, Patricia, RN 2:32 PM Hi, my obgyns name is GREDACTED, Bayside, NY REDACTED not sure of the fax#.

You can put it to his attention or Dr MREDACTED STEEDER LEGISLATION as shes in the same office and is my high risk dr.



OCTUBEL OF SUZU

Sari Dawn Edelman, DO to Me 1

Note

3:21 PM



This is my workflow. I enter external when patients tell me do not know which lab going to, so we have to mail requisition to them and then track down results. Sometimes they just do not know until after call insurance or research labs local to them. If want can create form letter to go out with external labs requisition informing patients to notify us of date of service and lab so we have information faster. Not sure if this actually save time or not as someone still have follow up that results received regardless.

If know lab I enter it orders this way.

October 12, 2020

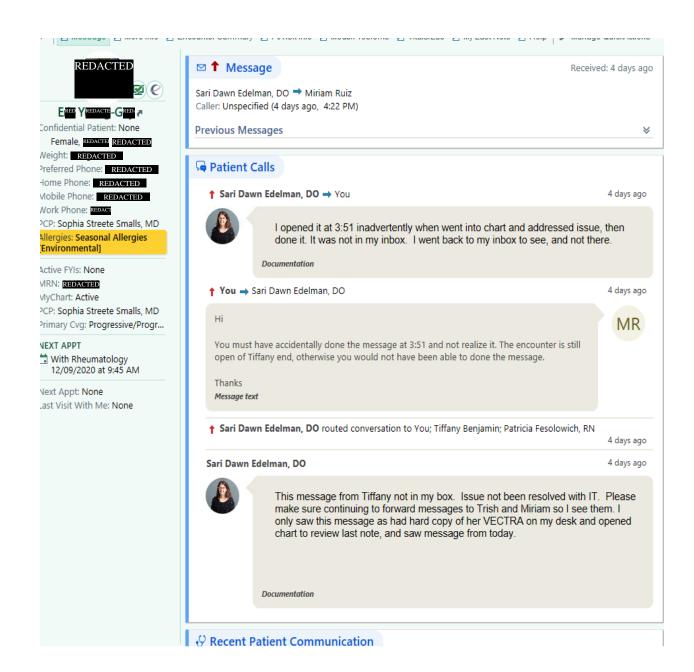
Sari Dawn Edelman, DO to REDACTED

Ok, that has been my workflow, so no change

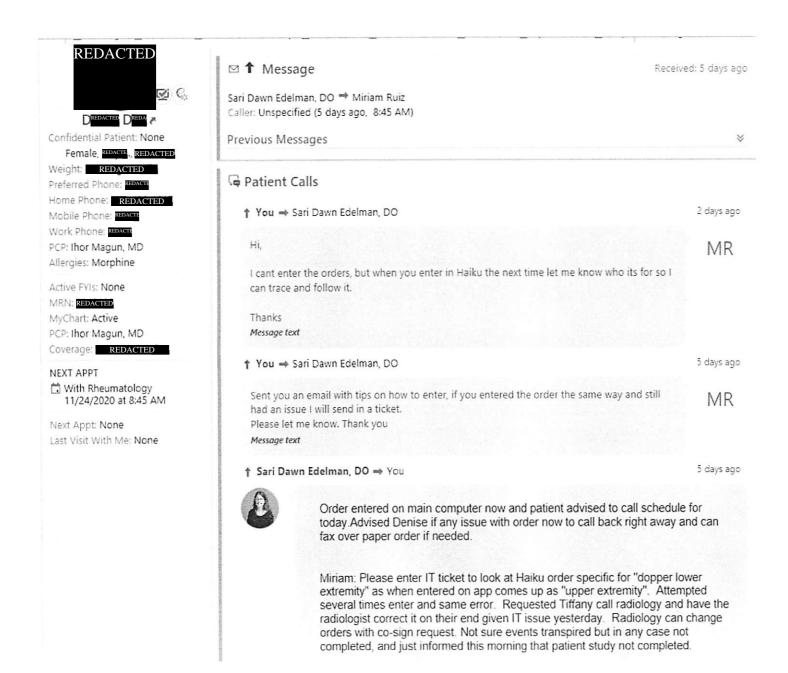
2:39 PM



Last read by Leslie REDACTED at 3:04 PM on 10/12/2020.



10/20/2020 Tue	12:15 PM	Comp	FOLLOW UP [1002]		RHEUM LI [10785001]		NO REFERRAL REQ//patient has an appointment at 11am with Dr.Donnelly same	<none></none>		<b>⊗</b>
10/20/2020 Tue	11:00 AM	Comp	FOLLOW UP	FIREDA, R REDACTED	NS HEM ONC REDACTED	, ,,	NO REFERRAL REQ//FERRITIN CHECK	REDACTED		<b>②</b>



## ☑ Patient messaging

Sari Dawn Edelman, DO → Miriam Ruiz Dear Miriam,

Patients using the portal to message acute issues, and messages not being screened so things sitting in there few days. Also issue that patient emails also not forwarded to me directly, so by time gets my box been day or two, sometimes more before I even see it. In past Trish and Ebony screened these messages, and would triage with call to determine who needed more immediate visit or even hospitalization.

Also duplicate messaging coming in making it more difficult to get through box timely and address things properly. Basic messaging which in past handled by staff and never even routed to me us being sent in duplicate... things like script going to wrong pharmacy, or needing cancel and change visit or just refill requests. If I open 10 messages day on refill requests that is thirty minutes at least of my time having to enter meds, find correct pharmacy etc, which is 2-3 patient visits.

This becoming safety issue having 50-60 patient emails day and not having time to sort all out. I am opening email until midnight, on weekends.. I am using time in afternoon could be seeing patients in office in follow up just to keep up messaging.

I would like set up meeting with you to try sort out work flow again so conducive to allowing more time patient care issues.

Thank you

Dr Edelman

Received: 1 week ago

